

Kevin McDonough
Direct Dial: 212-906-1200
Kevin.McDonough@lw.com

1271 Avenue of the Americas
New York, New York 10020-1401
Tel: +1.212.906.1200 Fax: +1.212.751.4864
www.lw.com

LATHAM & WATKINS LLP

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February 14, 2022

VIA ECF

Honorable Kenneth M. Karas
United States District Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: Culbreath v. Griffin, 17-CV-3406 (KMK)(LSM)

Dear Judge Karas:

We represent Plaintiff Jeffrey Culbreath in the above-captioned action. Pursuant to Section IX of Your Honor's Individual Rules, the Southern District of New York's Sealed Records Filing Instructions, and Sections 14 and 15 of the Stipulation of Confidentiality and Protective Order ("Protective Order") entered by this Court on September 4, 2018 (ECF 62), we respectfully request leave to file under seal certain content in Plaintiff's Memorandum of Law in Support of His Omnibus Motions *in Limine*, as well as an exhibit appended to the Declaration of Kevin McDonough in Support of Plaintiff's Omnibus Motions *in Limine* ("McDonough Declaration").¹

The documents that Plaintiff seeks to file under seal contain information designated as Confidential or Attorney's Eyes Only by Defendant pursuant to the Protective Order, and that Defendant has indicated would present a security issue if filed on the public docket. Pursuant to the Protective Order, Plaintiff seeks the Court's permission to file the documents under seal. Nothing in this request should be construed as an admission by Plaintiff that the information in these documents is properly designated as "Confidential" or "Attorney's Eyes Only" or a waiver of Plaintiff's right to challenge any such designated materials.

Plaintiff will submit complete unredacted copies of the documents to Your Honor's chambers in the event helpful to Your Honor to review them in consideration of Plaintiff's

¹ Plaintiff seeks to file under seal Exhibit 2 to the McDonough Declaration, which has not been filed publicly.

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sealing request. Plaintiff has served complete and unredacted copies of the documents on Defendants' counsel.

We are available at Your Honor's convenience should the Court require any additional information.

Respectfully Submitted



Kevin McDonough
of LATHAM & WATKINS LLP

cc: All Counsel of Record (via ECF)

MEMO ENDORSED

Granted.

Date: 2/15/2022

SO ORDERED


KENNETH M. KARAS U.S.D.J.